



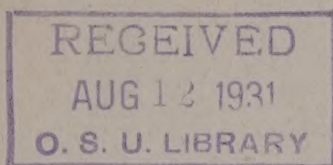
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BULLETIN
OF
**THE DEPARTMENT OF INDUSTRIAL
RELATIONS**
AND
THE INDUSTRIAL COMMISSION OF OHIO

**Child and Female Labor
Compulsory
Educational Laws**



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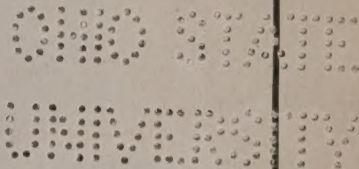


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STATE OF

MISSISSIPPI

CHILD AND FEMALE LABOR, COMPULSORY EDUCATIONAL LAWS

Minors under 16 years of age must not be employed while the schools of the district in which the child resides are in session, excepting, however, boys between 15 and 16 who secure age and schooling certificates prior to August 25th, 1921, may be legally employed. See Section 12993 and 7770-3.

Minors over 14 years of age may be employed during vacation period and after school hours in occupations not forbidden by Sections 13001, 13002, 13007-3, provided proper age and health certificates authorizing such employment are first secured. See Section 7765.

Age and schooling certificates (or age and pre-employment cards) must be secured for all minors employed up to 18 years of age and same must be kept on file for inspection of proper officials. See Section 7765.

Age and schooling certificates, or coupon attached thereto, must be returned to the Superintendent of Schools, within two days after the child's employment ceases. See Sections 12976 and 12995. Vacation certificates must be returned immediately after August 25th, which is the latest date on which they are valid. See Sections 7765 and 12976.

Boys under 16 and girls under 18 years of age must not be employed more than 8 hours in one day, 48 hours in one week, before the hour of 7 a. m. or after the hour of 6 p. m., nor more than 6 days in any week. See Section 12996.

Boys between 16 and 18 years of age must not be employed more than 10 hours in any one day, 54 hours in any one week or before the hour of 6 a. m. or after the hour of 10 p. m. nor more than 6 days in any week. See Section 12996.

Females over 18 years of age shall not be employed more than 6 days in any one week, for more than 50 hours in any one week nor more than 9 hours in any one day, except Saturdays when the hours of labor in mercantile establishments may be 10 hours. See Sections 12996 and 1008.

Females between 18 and 21 years of age shall not be employed before the hour of 6 a. m. or after the hour of 10 p. m. See Section 12996.

When part time schools are established in any district in which a minor resides or is employed, all minors under 18 years of age who have been granted an age and schooling certificate, must attend such schools unless excused by the proper authorities, for one of the reasons provided for in Section 7762-5. See Sections 7767 and 7767-1.

No child under the age of 16 years can be employed at dangerous machinery or in occupations where its health may be injured or its morals depraved or at the tobacco trades. See Sections 13001 and 13002.

Written agreement as to the compensation to be paid to minor must be made before such minor can be employed. See Section 12991.

No wages can be withheld from minors because of presumed negligence, failure to comply with rules, breakage of machinery, alleged incompetence or failure to perform labor according to any standard of merit. See Section 12989.

No child under 18 years of age can be employed at extremely dangerous occupations. See Section 13007-3.

No female under 21 years of age can be employed at employment that compels her to remain standing constantly. See Section 13005.

The employment of females of any age in certain occupations is strictly prohibited. See Section 1008-1.

A child of compulsory school age may be excused from attendance at school if determined by proper authorities to be incapable of profiting substantially by further instruction. See Section 7762-7.

SECTION 12972. **[Preventing the employment of children in certain occupations.]** Whoever wilfully causes or permits the life or limb of a child under the age of sixteen years to be endangered, its health to be injured or its morals to become depraved, from and while actually in his employ, or wilfully permits such child to be placed in such a position or engage in employment whereby its life or limb is in danger, its health likely to be injured or its morals likely to be impaired or depraved, shall be fined not less than ten dollars nor more than fifty dollars or imprisoned not less than thirty days or more than ninety days. (87 v. 161, §§ 1, 2.)

SECTION 12976. Whoever employs a minor under eighteen years of age before exacting from such minor the age and schooling certificate, or age and pre-employment card required by law, or fails to keep such certificate or card on file, or fails to return to the superintendent of schools or his authorized representative such certificate or card or give notice of the non-use thereof within two days from such minor's withdrawal or dismissal from his service, or continues to employ a minor under eighteen years of age after his age and schooling certificate or card is void, or refuses to permit an attendance officer or other person mentioned in section 7765, General Code, to examine such certificate or card, or refuses to permit such attendance officer or person to observe the conditions under which minors under eighteen years of age are employed, or refuses to permit under reasonable regulations such attendance officer or persons to make inquiry of minors or persons supposed by such officer or persons to be under eighteen years of age in regard to matters pertaining to their age, employment or schooling, shall upon conviction be fined not less than twenty dollars, nor more than fifty dollars.

SECTION 12977. Whoever, being an officer or agent of a corporation, participates or acquiesces in any violation of law relating to compulsory education or employment of minors shall upon conviction be fined not less than twenty dollars, nor more than fifty dollars.

SECTION 12978. Failure to produce for lawful inspection the age and schooling certificate or card as provided by law or the record as provided in section 12998, General Code, shall be prima facie evidence of the illegal employment or service of the child whose certificate or card is not so produced or whose record is not so correctly kept.

SECTION 12979. Any person charged by law with issuance of age and schooling certificates who fails or refuses upon request to issue such certificate or age and pre-employment card or over-age certificate

in conformity to law, or who issues such certificate or age and pre-employment card or overage certificate contrary to any of the provisions of the laws relating to the issuance of such certificates or cards, shall upon conviction be fined not less than twenty nor more than fifty dollars.

SECTION 12980. Whoever, being an officer of a board of education or a superintendent, principal or teacher of a public, private or parochial school or a juvenile examiner refuses or neglects to perform a duty imposed upon him by the laws relating to compulsory education and the issuance of age and schooling certificates or declines to give the information necessary for the execution of these laws shall upon conviction be fined not less than twenty nor more than fifty dollars. Continued refusals to perform the duties or give the information shall constitute additional violations of the statutes relating to compulsory education and the issuance of age and schooling certificates.

SECTION 12981. Mayors, justices of the peace, police judges and judges of juvenile courts shall have final jurisdiction to try the offenses described in the seven next preceding sections. When complaint is made against a corporation for violating any provision of such sections, summons shall be served, appearance made, or plea entered as provided by law in cases when an indictment is presented against a corporation, except in complaints before magistrates, when service may be made by the constable. In other cases process shall be served and proceedings had as in cases of misdemeanor.

SECTION 12982. Fines collected under the provisions of the eight sections next preceding shall be paid into the funds of the city, exempted village, village or rural school district in which the offense was committed.

SECTION 12982-1. The attendance officer or any inspector of the industrial commission of Ohio shall when a violation of section 12976, 12977, 12978, 12979 or 12980, General Code, comes to his attention make complaint against the person or employer violating it in any court having jurisdiction.

SECTION 12983. Any parent, guardian or other person in charge of a child of compulsory school age as defined by law, who after a complaint made against such parent, guardian or other person in charge of the child or against the child himself, under a law relating to compulsory education, before a court of competent jurisdiction, and before such complaint is heard causes or permits such child to leave the territory under the jurisdiction of the court, shall upon conviction be fined not less than fifty nor more than two hundred dollars or be imprisoned in jail for not less than ten nor more than sixty days or both.

SECTION 12984. Whoever having been convicted of a violation of any provision of law relating to compulsory education or the employment of minors again violates such provision shall upon conviction, unless a penalty for a second or subsequent violation of the given pro-

vision is elsewhere specifically provided by law, be punished for the second offense by a fine of not less than twenty nor more than two hundred dollars or by imprisonment for not more than thirty days or by both such fine and imprisonment; for a third or other subsequent offense by a fine of not less than thirty nor more than five hundred dollars or by imprisonment for not more than sixty days or by both such fine and imprisonment.

SECTION 12985. On complaint before a mayor, justice of the peace or police judge of such a second or further violation of a law relating to compulsory education or to the employment of minors, if a trial by jury is not waived, a jury shall be chosen and proceedings had therein as provided by law in cases of violation of the laws for the prevention of cruelty to animals and children.

SECTION 12986. No person or officer instituting proceedings under any of the thirteen sections next preceding shall be required to file or give security for the costs. If a defendant is acquitted or if convicted and committed to jail in default of payment of fine and costs, the justice, mayor, police judge or judge of the juvenile court before whom such case was brought shall certify such costs to the county auditor, who shall examine the amount and if necessary correct it, and issue his warrant on the county treasurer in favor of the respective persons to whom such costs are due for the amount due to each.

SECTION 12987. Any person who when engaging to be employed or seeking employment states falsely his age for the purpose of evading any law relating to the employment of minors or females under the age of twenty-one years shall upon conviction be punished by a fine of not less than twenty nor more than fifty dollars or by imprisonment for not more than thirty days; provided, however, that if the minor is under eighteen years of age a charge shall be brought against him in the juvenile court as a delinquent child.

SECTION 12988. If a person between eighteen and twenty-one years of age falsely makes oath that he is twenty-one years of age or above when engaging to be employed or seeking employment the employer shall be exempt from the operation of section 6245-2, General Code, in respect to that person.

SECTION 12989. **[Withholding wages due a minor.]** Whoever, being a person, officer or agent of a company or corporation doing business in this state, retains or withholds from a minor in his employ the wages or compensation, or part thereof, agreed to be paid and due such minor for work performed or services rendered, because of presumed negligence or failure to comply with rules, breakage of machinery or alleged incompetency to produce work or perform labor according to any standard of merit shall be fined not more than two hundred dollars

or imprisoned in the county jail not more than six months, or both. (90 v. 55, 56, §§ 1, 3.)

SECTION 12990. **[Guarantee to secure employment for minor.]** Whoever, being a person, officer or agent of a company or corporation, receives a guarantee, bonus, money deposit or other form of security to obtain or secure employment for a minor or to insure faithful performance of labor, guarantee strict observance of rules or make good losses which may be charged to such minor's incompetence, negligence or inability, shall be fined not more than two hundred dollars or imprisoned in the county jail not more than six months, or both. (90 v. 55, 56, §§ 1, 3.)

SECTION 12991. **[Agreement as to employment of minor.]** Whoever, being a person, officer or agent of a company or corporation, gives employment to a minor, without agreeing with him as to the wages or compensation he shall receive for each day, week, month or year, or per piece, for work performed and without furnishing such minor with written evidence of such agreement and, on or before each pay-day, with a statement of the earnings due and the amount thereof to be paid to him or changes the wages or compensation of a minor without giving him notice thereof at least twenty-four hours previous to its going into effect, when a written agreement thereof shall be given to such minor as for an original employment, shall be fined not more than two hundred dollars or imprisoned in the county jail not more than six months, or both. (90 v. 56, § 3; R. S. Sec. 4364-66.)

SECTION 12993. Unless he either is employed in irregular service as defined by section 7765-2, General Code, or is the holder of an age and schooling certificate issued under section 7766-3, section 7766-4, or section 7766-9, General Code, no child under sixteen years of age shall be employed, permitted or suffered to work in or about any (1) mill, (2) factory, (3) workshop, (4) oil-well or pumping station, (5) cannery or bottling or preserving establishment, (6) mercantile or machanical establishment, (7) tenement house, (8) garment making or dress making or millinery establishment or working room, (9) store, (10) office, (11) office building, (12) laboratory, (13) restaurant, (14) hotel, boarding house, or apartment house, (15) bakery, (16) barber shop, (17) bootblack stand or establishment, (18) public stable, (19) garage, (20) laundry, (21) place of amusement, (22) club, (23) or as a driver or chauffeur, (24) or in any coal yard or brick, lumber, or building material yard, (25) or in the construction or repair of buildings, (26) or in the transportation of merchandise; nor if a boy in the personal delivery of messages. No female under twenty-one years of age shall be employed in the personal delivery of messages.

No child under sixteen years of age shall be engaged in school and employed more than nine hours altogether in any one day and no child

under fourteen years of age shall be employed more than four hours in any one day.

SECTION 12993-1. It shall be unlawful for any person, firm or corporation to employ, permit, or suffer to work any child who is required by law to be in attendance at school in any business or occupation whatever during the hours when the public schools of the district in which the child resides, including the school or class to which the child is assigned, are in session.

SECTION 12995. Upon failure on the part of any employer to return an age and schooling certificate or give notice of the non-use thereof within two days after the termination of the employment of a child, the child terminating his employment shall be entitled to recover from such employer in a civil action as damages an amount equal to the wages which he would have earned had he continued in said employment for the period between such termination thereof and the time when such certificate is so returned or said notice given. If such a child at any time fails to appear for work without explanation, the employment shall be deemed within the purposes of this section to have terminated upon the expiration of two days after his so failing to appear.

SECTION 12996. No boy under the age of sixteen and no girl under the age of eighteen years shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in section 12993 (1) for more than six days in any one week, (2) or more than forty-eight hours in any one week, (3) nor more than eight hours in any one day, (4) or before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening. The presence of such child in any establishment during working hours shall be prima facie evidence of its employment therein. No boy under the age of eighteen years shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in section 12993 (1) for more than six days in any one week, (2) nor more than fifty-four hours in any week, (3) nor more than ten hours in any one day, (4) or before the hour of six o'clock in the morning or after the hour of ten o'clock in the evening. No girl under the age of twenty-one years shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in section 12993 (1) for more than six days in any one week, (2) nor more than fifty hours in any week, (3) nor more than nine hours in any one day, except Saturday, when the hours of labor in mercantile establishments may be ten hours, (4) or before the hour of six o'clock in the morning or after the hour of ten o'clock in the evening. In estimating such periods, the time spent at different employments or under different employers shall be considered as a whole and not separately.

SECTION 12996-I. No person having charge or management of a telephone, telegraph or messenger office or company shall employ a boy under the age of eighteen years to work as a messenger in connection with such office or company before the hour of six o'clock in the morning or after the hour of nine o'clock in the evening of any day.

SECTION 12997. A boy or girl employed as provided in section 12996-I, shall be entitled to not less than thirty consecutive minutes for meal time within five hours from the time of beginning work which shall not be included as a part of the work hours of the day or week.

SECTION 12998. No child under eighteen years of age shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in section 12993, General Code, or any place of employment, exchange or headquarters, unless the person, firm or corporation employing such child keeps two complete lists of the names, together with the ages, of all children under eighteen years of age, employed in or for such establishment or in such occupation, one on file, and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed.

Every employer shall post and keep posted in a conspicuous place in every room of any establishment or business named in section 12993, General Code, or this section, where any boy under the age of eighteen or any female under the age of twenty-one is employed, permitted or suffered to work a printed notice stating the maximum of hours such person may be required or permitted to work on each day of the week, the hours of commencing and stopping work, and the hours allowed for dinner and for other meals. The printed form of such notices shall be furnished by the industrial commission of Ohio and the employment of any minor for a longer time in any day than so stated or at any time other than as stated in said printed notice shall be deemed a violation of the provisions of the laws relating to the employment of minors.

In case the duties of the person are such as to cause him to move from room to room it shall be deemed compliance with the requirements of the above paragraph for the notice to be kept posted in the office or room to which such person reports or which serves as his headquarters.

SECTION 12999. Any employer who refuses to permit a minor in his employ to attend a part-time school or class as defined by law, when such minor is required by law so to attend, or arrange the hours of the minor's work so as to make possible such attendance, or dismisses a minor from his employ because of the minor's compliance with the law in respect to such attendance, or otherwise obstructs a minor's attendance at part-time school or class shall upon conviction for a first offense be punished by a fine of not less than ten nor more than fifty dollars; and upon conviction for subsequent offense by the penalties provided in section 12984, General Code.

SECTION 13000. [**Certificate as prima facie evidence.**] Failure to produce for lawful inspection the age and schooling certificate as provided by law, or the record as provided in section twelve thousand, nine hundred and ninety-eight, shall be prima facie evidence of the illegal employment or service of the child whose certificate is not so produced or whose record is not so correctly kept. (99 v. 39, § 1.)

SECTION 13001. No child under the age of sixteen years shall be employed, permitted or suffered to work at any of the following occupations or any of the following positions: (1) adjusting any belt to any machinery; (2) sewing or lacing machine belts in any workshop or factory; (3) oiling, wiping or cleaning machinery or assisting therein; (4) operating or assisting in operating any of the following machines: (a) circular or band saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sandpaper or wood-polishing machinery; (f) woodturning or boring machinery; (g) picker machines or machines used in picking wool, cotton, hair or any other material; (h) carding machines; (i) paper-lace machines; (j) leather-burnishing machines; (k) job or cylinder printing presses operated by power other than foot power; (l) boring or drill presses; (m) stamping machines used in sheet-metal and tin-ware, or in paper and leather manufacturing, or in washer and nut factories; (n) metal or paper cutting machines; (o) corner staying machines in paper box factories; (p) corrugating rolls such as are used in corrugated paper, roofing or wash-board factories; (q) steam boilers; (r) dough brakes or cracker machinery of any description; (s) wire or iron straightening or drawing machinery; (t) rolling mill machinery; (u) power punches or shears; (v) washing, grinding or mixing machinery; (w) calendar rolls in paper and rubber manufacturing; (x) laundry machines; (y) burring machinery; (5) or in proximity to any hazardous or unguarded belts, machinery or gearing; (6) or upon any railroad whether steam, electric or hydraulic; (7) or upon any vessel or boat engaged in navigation or commerce within the jurisdiction of this state.

SECTION 13002. No child under the age of sixteen years shall be employed, permitted or suffered to work in any capacity (1) in, about or in connection with any processes in which dangerous or poisonous acids are used; (2) nor in the manufacture or packing of paints, colors, white or red lead; (3) nor in soldering; (4) nor in occupations causing dust in injurious quantities; (5) or in the manufacture or use of dangerous or poisonous dyes; (6) nor in the manufacture or preparation of compositions with dangerous or poisonous gases; (7) nor in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health; (8) nor on scaffolding; (9) nor in heavy work in the building trades; (10) nor in any tunnel or excavation; (11) nor in, about or in connection with any mine, coalbreaker, coke oven, or quarry; (12) nor in assorting, manufacturing or packing tobacco; (13) nor in operating

any automobile, motor car or truck; (14) nor in a bowling alley; (15) nor in a pool or billiard room; (16) nor in any other occupation dangerous to the life and limb, or injurious to the health or morals of such child.

SECTION 13003. The state board of health may, from time to time, after a hearing duly had, determine whether or not any particular trade, process of manufacture or occupation in which the employment of children under the age of sixteen years is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under sixteen years of age to justify their exclusion therefrom. No child under sixteen years of age shall be employed, permitted or suffered to work in any occupation thus determined to be dangerous or injurious to such children. There shall be a right of appeal to the common pleas court from any such determination.

SECTION 13005. No female under the age of twenty-one years shall be engaged or permitted to work at an employment which compels her to remain standing constantly while on duty.

SECTION 13006. No female visitor, truant officer, factory inspector or other officer thereunto authorized by this chapter shall be prevented, as provided by law, from entering at any time, a shop, factory or mercantile establishment for the purpose of making a lawful inspection thereof.

SECTION 13007. **[Fines paid into school fund.]** The fines collected under this subdivision of this chapter shall inure to the benefit of the school fund of the district where the offense was committed. (99 v. 32 § 3.)

SECTION 13007-1. An inspector of factories, attendance officer, or other officer charged with the enforcement of the laws relating to the employment of minors or school attendance may make demand on any employer in or about whose place or establishment or material or equipment a person apparently under the age of eighteen years is employed or permitted or suffered to work, and whose employment certificate is not filed as required by this act, that such employer shall furnish him satisfactory evidence that such person is in fact over eighteen years of age. The inspector of factories, attendance officer, or other officer charged with the enforcement of such laws, shall require from such employer unless an overage certificate is held by the employee the same evidence of age of such child as is required upon the issuance of an age and schooling certificate. Failure of such employer to produce such evidence shall be deemed a violation of the laws relating to the employment of minors.

SECTION 13007-2. In case any employer shall fail to produce and deliver to a factory inspector, truant officer, or other officer charged with the enforcement of this act, within ten days after demand made pursuant to section 13007-1 of this act, the evidence of age therein required, proof

of the making of such demand and of such failure to produce and file such evidence shall be prima facie evidence of the illegal employment of such child in any prosecution brought therefor.

SECTION 13007-3. No child under the age of eighteen years shall be employed, permitted or suffered to work (1) in, about or in connection with blast furnaces, docks, or wharves; (2) in the outside erection and repair of electric wires; (3) in the running or management of elevators, lifts or hoisting machines or dyamos; (4) in oiling or cleaning machinery in motion; (5) in the operation of emery wheels or any abrasive, polishing or buffing wheel where articles of the baser metals or iridium are manufactured; (6) at switch tending; (7) gate tending; (8) track repairing; (9) or as brakeman, fireman, engineers, motormen or conductors upon railroads; (10) or as railroad telegraph operators; (11) as pilots, firemen or engineers upon boats and vessels; (12) or in or about establishments wherein nitroglycerine, dynamite, dualin, guncotton, gunpowder, or other high or dangerous explosives are manufactured, compounded or stored; (13) or in the manufacture of white or yellow phosphorus or phosphorus matches; (14) or in any distillery, brewery, or any other establishment where malt or alcoholic liquors are manufactured, packed, wrapped or bottled; (15) or in any hotel, theater, concert hall, place of amusement, or any other establishment where intoxicating liquors are sold; (16) nor any boy under sixteen years or girl under eighteen in any theater or other place of amusement, except on the stage thereof when not otherwise prohibited by law.

SECTION 13007-4. The state board of health may, from time to time, after hearing duly had, determine whether or not any particular trade, process of manufacture or occupation, in which the employment of children under eighteen years of age is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation is sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under eighteen years of age to justify their exclusion therefrom.

No child under eighteen years of age shall be employed, permitted or suffered to work in any occupation thus determined to be dangerous or injurious to such children. There shall be a right of appeal to the common pleas court from any such determination.

SECTION 13007-5. No person under twenty-one years of age shall be employed, permitted or suffered to work in, about or in connection with any saloon or bar-room where intoxicating liquors are sold or to handle intoxicating liquors in any way.

SECTION 13007-6. Nothing in this chapter shall be so interpreted as to prevent any pupil from working on any properly guarded machine in the manual training department of any school when such work is performed under the personal supervision of an instructor. No female under

twenty-one years of age shall be employed, permitted or suffered to work in or about any (1) mine, (2) quarry, (3) or coal breaker, except in the office thereof, (4) or in oiling or cleaning machinery while in motion.

SECTION 13007-7. It shall be the duty of inspector of factories, attendance officers and other officers charged with the enforcement of laws relating to the employment of minors to make complaint by filing the proper affidavit before a court having competent jurisdiction against any person, firm or corporation violating any of the provisions of law relating to the employment of minors and to prosecute the same.

This shall not be construed as a limitation upon the right of other persons to make and prosecute such complaints.

SECTION 13007-8. Any person who with the intent to assist a minor or female under age of twenty-one years to procure employment makes a false statement regarding the age of such person to an employer or to a person authorized to issue age and schooling certificates shall upon conviction be punished by a fine of not less than twenty nor more than fifty dollars or by imprisonment for not more than thirty days.

SECTION 13007-9. Any person, firm or corporation, agent or manager of any firm or corporation, who, whether for himself or for such firm or corporation, or by himself, or through an agent, servant or foreman, employs and whoever having under his control as parent, guardian, custodian or otherwise any minor permits or suffers a minor or female under the age of twenty-one years to be employed or to work in violation of any of the provisions of the laws relating to the employment of such minors or females under the age of twenty-one years for which the penalty is not otherwise provided by law shall for a first offense be punished upon conviction by a fine of not less than ten nor more than fifty dollars.

SECTION 13007-10. Whoever continues to employ any minor or any female under twenty-one years of age in violation of any of the provisions of the laws relating respectively to the employment of minors or females under the age of twenty-one after being notified thereof in writing by a factory inspector, attendance officer or other officer charged with the enforcement of such laws shall for every day thereafter that such employment continues be fined upon conviction not less than five nor more than twenty dollars.

SECTION 13007-11. Every employer who fails to secure and keep on file employment certificates for all males employed between fifteen and sixteen years of age, and all females employed between sixteen and eighteen years of age, or to return the same as provided by section 12995 of the General Code, or who fails to keep and post lists of the notice, as provided in section 12998 of the General Code, shall be fined not less than twenty-five dollars nor more than one hundred dollars.

SECTION 13007-12. Any persons, firm or corporation, or any manager, foreman, superintendent or agent of the owner or proprietor of

any establishment, who (1) hinders or delays any female visitor or district deputy or any other officer charged with the enforcement of any of the provisions of this act in the performance of his or her duties, or (2) refuses to admit or locks out any such inspector or officer from any place where said inspectors or officers are authorized to inspect, or upon request therefor refuses to give full and complete information regarding any matter proper to be investigated by any such inspector or officer, shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars.

SECTION 13007-13. Any person authorized to sign any certificate, affidavit or paper called for by this act, who knowingly certifies to any materially false statement therein, shall be fined not less than twenty-five dollars nor more than one hundred dollars.

SECTION 13007-14. Any minor or female under twenty-one years of age working in or in connection with any of the establishments or places or in occupations with respect to which there are restrictions of law governing the employment of persons of his probable age who refuses to give to an authorized employe of the industrial commission of Ohio or other authorized inspector or attendance officer his name, age and place of residence shall be forthwith conducted by such authorized employee, inspector or attendance officer before the juvenile court or other court having jurisdiction in the premises for examination and to be dealt with according to law.

SECTION 13018. When a person is convicted, sentenced and fined, under any provision of this subdivision of this chapter, in a workhouse, the county from which he is so convicted, sentenced and confined upon the warrant of the county auditor of such county, and out of the general revenue fund thereof, shall pay monthly fifty cents for each day he is so confined, to the trustee appointed by the court under any of such provisions, to be expended by such trustee for the maintenance of the child or children under sixteen years of age as provided in such provisions.

SECTION 12968. Whoever takes, receives, hires, employs, uses, exhibits, sells, apprentices, gives away, lets out or otherwise disposes of a child, under the age of fourteen years for or in the vocation, occupation, service or purpose of singing, playing on musical instruments, rope or wire walking, dancing, taking any part in, or appearing in connection with a moving picture exhibition or performance given in a theater or place of public amusement, begging or peddling or as a gymnast, contortionist, rider or acrobat, or for an obscene, indecent or immoral purpose, exhibition or practice, or for or in a business exhibition or vocation injurious to the health or dangerous to the life or limb of such child or causes, procures or encourages such child to engage therein, or causes or permits such child to suffer or inflict upon it unjustifiable physical pain or mental suffering, or has such child in custody for any of such

purposes, shall be fined not more than two hundred dollars or imprisoned not more than six months, or both.

SECTION 12969. Section 12968 of the General Code shall not apply to or affect the taking part without remuneration of such child with the consent of its parents or guardian in a church, or any school or academy, or at a concert or entertainment given for charitable purposes, or by a church or any school, academy, charitable, eleemosynary or religious institution.

COMPULSORY EDUCATION LAWS

SECTION 7647-1. The board of education of any school district may establish and maintain part-time schools or classes for the further education of children who are employed on age and school certificates. Such schools and classes shall be conducted not fewer than four hours per week while in session, and for not fewer than one hundred forty-four hours per calendar year between the hours of seven in the morning and six in the afternoon, excluding Saturday afternoon and Sunday. Such schools and classes shall be conducted under such standards as the superintendent of public instruction may prescribe. Boards of education shall have power to provide for the expense of such schools and classes the same as for the expense of ordinary elementary schools.

SECTION 7762. A child between six and eighteen years of age is "of compulsory school age" for the purpose of this chapter; but the board of education of any district may by resolution raise the minimum compulsory school age of all children residing in the district to seven, subject to subsequent modification to six; and the compulsory school age of a child shall not commence until the beginning of the term of such schools, or other time in the school year fixed by the rules of the board of education of the district in which he resides adopted under section seven thousand six hundred eighty-one of the General Code, next following his arrival at the minimum age prescribed hereby or hereunder.

The parents, guardians or other persons who have the care of a child of compulsory school age shall instruct him, or cause him to be instructed as herein provided, unless he is employed on age and schooling certificate, or shall have been determined, as provided in this chapter, to be mentally incapable of profiting substantially by further instruction. Such instruction shall be provided in such of the following named and other branches as are suited to his age, employment and advancement and given in the public schools of the state, to-wit; in reading, spelling, writing, the English language, English grammar and composition, geography, arithmetic, United States history, American government and citizenship, and hygiene.

SECTION 7762-5. All parents, guardians and other persons who have the care of children who are employed on age and schooling certificates shall cause them to attend a part-time day school or class for the full time that the school or class is in session whenever such part-time school or class shall have been established and is accessible to the child in the district where the child resides or is employed, unless the superintendent of schools determines that a given child has already completed the same work as or work equivalent to that taken up in such part-time schools

or classes as may be available for the child to attend or that the bodily or mental condition of the child does not permit of his attendance at such school or class.

Such attendance shall begin within the first week of the school term or within one week after an age and schooling certificate is issued to a child.

If a child resides in one school district and is employed in another he shall be under the jurisdiction of the district in which he is employed for the purpose of this section and section 7767, General Code, unless by written excuse the superintendent of schools releases him to the jurisdiction of the district in which he resides.

SECTION 7762-6. Every child of compulsory school age who is not employed on an age and schooling certificate and has not been determined to be incapable of profiting substantially by further instruction shall attend a public, private or parochial school under the conditions prescribed in this chapter.

SECTION 7762-7. A child of compulsory school age may be determined to be incapable of profiting substantially by further instruction as follows, to-wit:

The department of education may prescribe standards and examinations or tests by which such capacity may be determined and prescribe and approve the agencies or individuals by which they shall be applied and conducted; but the capacity of a child to benefit substantially by further instruction shall be determined with reference to that available to the particular child in the public schools of the district in which he resides, and no child shall be determined to be incapable of profiting substantially by further instruction if the department of education shall find that it is feasible to provide for him in such district, or elsewhere in the public school system, special classes or schools, departments of special instruction or individual instruction through or by which he might profit substantially, according to his mental capacity as so determined. In prescribing, formulating, applying and giving such standards, examinations or tests, the department of education may call for assistance and advice upon any other department or bureau of the state government, or upon any appropriate department of any university supported wholly or partly from state appropriations.

The result of each examination or test made hereunder, with the recommendation of the agency or individual conducting the same, shall be reported to the department of education, which shall have power to make the determination herein authorized. If a child be determined hereunder to be incapable of profiting substantially by further instruction, such determination shall be certified by the department of education to the superintendent of schools of the district in which he resides, who shall place such child under the supervision of a visiting teacher or of an at-

tendance officer, to be exercised as long as he is of compulsory school age. The department of education shall keep a record of the names of all children so determined to be incapable of profiting substantially by further instruction and a like record of all such children residing in any school district shall be kept by the superintendent of schools of such district. Upon request of the parents, guardians, or persons having the care of such child whose residence has been changed to another school district the superintendent of schools shall forward a card showing the status of such child as so determined to the superintendent of schools of the district to which the child has been moved.

Any determination made under this section may be revoked by the department of education for good cause shown.

A child determined to be incapable of profiting substantially by further instruction, as herein provided, shall not thereafter be admitted to the public schools of the state while such determination remains in force, anything in chapter four of this title to the contrary notwithstanding.

SECTION 7763. Every parent, guardian, or other person having charge of any child of compulsory school age who is not employed on an age and schooling certificate and who has not been determined in the manner provided by law to be incapable of profiting substantially by further instruction, must send such child to a public, private or parochial school for the full time the school attended is in session, which shall in no case be for less than thirty-two weeks per school year. Such attendance must begin within the first week of the school term or within one week of the date at which the child begins to reside in the district or within one week after his withdrawal from employment.

Provided, that excuses from future attendance at or past absence from school may be granted for the causes, by the authorities and under the conditions hereinafter prescribed, to-wit:

1. The superintendent of schools of the district in which the child resides may excuse him from attendance for all or any part of the remainder of the current school year upon satisfactory showing of either of the following facts:

(a) That his bodily or mental condition does not permit of his attendance at school during such period;

(b) That he is being instructed at home by a person qualified to teach the branches in which instruction is required by law, and such additional branches, if any, as the advancement and needs of the child may, in the opinion of such superintendent, require. In each such case the issuing superintendent shall file in his office, with a copy of the excuse, papers showing how the inability of the child to attend school or the qualifications of the person instructing the child at home were determined. All such excuses shall lapse and become void and subject to recall upon

the removal of the disability of the child or the cessation of proper home instruction as the case may be; and thereupon the child or his parents, guardians, or other persons having him in charge may be proceeded against after due notice whether such excuse be recalled or not.

2. The department of education may adopt rules and regulations authorizing the superintendent of schools of the district in which the child resides to excuse a child over fourteen years of age from attendance for a future limited period for the purpose of performing necessary work directly and exclusively for his parents or legal guardians.

All excuses provided for in the two preceding paragraphs shall be in writing and shall show the reason for excusing the child. A copy thereof shall be sent to the person in charge of the child.

3. The board of education of the city, exempted village or county school district in which a public school is located or the governing authorities of a private or parochial school may in the rules and regulations governing the discipline in such schools, prescribe the authority by which and the manner in which any child may be excused for absence from such school for good and sufficient reasons.

The department of education may by rules and regulations prescribe conditions governing the issuance of excuses hereunder which shall be binding upon the authorities hereby empowered to issue them.

SECTION 7763-3. The term superintendent of schools as used in this chapter shall be interpreted to mean, in the respective classes of school districts, the city, exempted village or county superintendent of schools, or person designated by such superintendent; provided that if at any time there is no such superintendent in a given district the president of the board of education shall perform these duties.

SECTION 7763-4. In case such superintendent of schools refuses to excuse a child from attendance at school for one of the reasons stated in section 7763, General Code, or refuses upon request to grant an age and schooling certificate as provided in section 7766, General Code, an appeal may be taken from such decision to the judge of the juvenile court of the county, upon the giving of bond, within ten days thereafter, to the approval of such judge, to pay the costs of appeal. His decision in the matter shall be final.

SECTION 7764-3. If a child who is not sixteen years of age has been graduated from a high school of the first grade, he may be granted an age and schooling certificate under the same conditions and regulations as provided for children who are over sixteen years of age; but such certificate shall not entitle the child to be employed in any occupation forbidden or employment absolutely forbidden to him by law.

SECTION 7765. Excepting as provided in section 7765-2 of the General Code, no minor of compulsory school age shall be employed or be in the employment of any person, firm or corporation in any of the occupa-

tions mentioned in section 12993 of the General Code unless such minor presents to such person, firm or corporation, a proper age and schooling certificate, as a condition of employment. No minor of compulsory school age shall be employed or be in the employment of any person, firm or corporation in any other occupation during hours when the public schools of the district in which he resides are in session, unless such minor presents to such person, firm or corporation such age and schooling certificate as a condition of employment. Such employer shall keep the same on file in the establishment where such minor is employed or in the office of the business or in the residence in or about which such minor is employed for inspection by attendance officers, probation officers, the superintendent of schools, or inspectors or other employees of the industrial commission or the board of state charities of Ohio, or representatives of the district board of health or state department of health.

Such certificate or an over age certificate shall be conclusive evidence for such employer of the age of such minor and so long as in force of the employers' right to employ such minor and the minor's right to engage in such occupations as are not denied by law to minors of the age and sex stated in such certificate, except that a limited or special certificate is confined to particular employments.

Notice to the school authorities that the child has left the employ of an employer shall render void from that date the age and schooling certificate filed with such employer, in so far as it shall permit the further employment of such child.

SECTION 7765-1. The parent or guardian of a child of compulsory school age shall be required to secure and keep on file the proper age and schooling certificate of his child or ward if such child or ward is employed by him and shall be required to return such certificate as provided in section 7766-1, General Code, but a parent or guardian shall not be required to secure and keep on file a special or vacation certificate of his child or ward that such child or ward may be employed by him personally when school is not in session.

SECTION 7765-2. Notwithstanding the provisions of sections 7765 and 12993, General Code, a child may be employed in irregular service not forbidden by sections 13001, 13002 or 13007-3, General Code without holding an age and schooling certificate.

Irregular service shall be interpreted to mean service not forbidden by federal child labor laws which (a) does not involve confinement, (b) does not require continuous physical strain, (c) is interrupted with rest or recreation periods, and (d) does not require more than four hours of work in any day or twenty-four hours in any week. The health commissioner of the district in which employment is afforded to any child shall determine whether the employment involves confinement or requires con-

tinuous physical strain so that it cannot be deemed irregular service within the meaning of this section.

SECTION 7766. An age and schooling certificate may be issued only by the superintendent of schools and only upon satisfactory proof that the child to whom the certificate is issued is over sixteen years of age and has satisfactorily passed a test for the completion of the work of the seventh grade, provided that residents of other states who work in Ohio must qualify as aforesaid with the proper school authority in the school district in which the establishment is located, as a condition of employment or service.

Any such age and schooling certificate may be issued only upon satisfactory proof that the employment contemplated by the child is not prohibited by any law regulating the employment of such children; and when the employer of any minor for whom such age and schooling certificate shall have been issued shall keep such age and schooling certificate on file as provided by law, the provisions of section 6245-2, General Code, shall not apply to such employer in respect to such child while engaged in an employment legal for a child of the given sex and of the age stated therein.

Age and schooling certificate forms shall be formulated by the superintendent of public instruction, and except in cases otherwise specified by law must be printed on white paper. Every such certificate must be signed in the presence of the officer issuing it by the child in whose name it is issued. Blank certificates shall be furnished by the superintendent of public instruction upon request.

SECTION 7766-1. The superintendent of schools shall not issue such certificate until he has received, examined, approved and filed the following papers duly executed:

(1) The written pledge or promise of the person, partnership or corporation to legally employ the child, to permit him to attend school as provided in section 7767, General Code, and to return to the superintendent of schools the age and schooling certificate of the child or give notice of the non-use thereof within two days from the date of the child's withdrawal or dismissal from the service of that person, partnership or corporation, giving the reasons for such withdrawal or dismissal.

(2) The school record of the child, properly filled out and signed by the person in charge of the school which the child last attended; giving the recorded age of the child, his address, standing in studies, rating in conduct, and attendance in days during the school year of his last attendance, and if that was not a full year, during the preceding school year.

(3) Evidence of the age of the child as follows:

(a) The birth certificate of the child (or duly attested transcript thereof) issued near the date of the birth of the child by the registrar

of vital statistics of Ohio, or by a similar officer charged with the duty of recording births in another state or country, shall be conclusive evidence of the age of the child.

(b) In the absence of such certificate, a passport (or duly attested transcript thereof) showing the date and place of birth of the child, filed with a register of passports at a port of entry of the United States; or a duly attested transcript of the certificate of birth or baptism or other religious record, showing the date and place of birth of the child, shall be conclusive evidence of the age of the child.

(c) In case no one of the above proofs of age can be produced, other documentary evidence (except the affidavit of the parent, guardian or custodian) satisfactory to the superintendent of schools, may be accepted in lieu thereof.

(d) In case no documentary proof of age can be procured, the superintendent may receive and file an application signed by the parent, guardian or custodian of the child that a physician's certificate be secured to establish the sufficiency of the age of the child. Such application shall state the alleged age of the child, the place and date of birth, his present residence, and such further facts as may be of assistance in determining the age of the child, and shall certify that the person signing the application is unable to obtain any of the documentary proofs specified in (a), (b) and (c) above.

If the superintendent of schools is satisfied that a reasonable effort to procure such documentary proof has been without success such application shall be granted and the certificate of the school physician or if there be none, of a physician employed by the board of education, that said physician is satisfied that the child is above the age required for an age and schooling certificate as stated in section 7766, General Code, shall be accepted as sufficient evidence of age.

(4) A certificate from the school physician or physician designated by him, or if there be no school physician from the district health commissioner, or physician designated by him, showing after a thorough examination that the child is physically fit to be employed in such occupations, as are not prohibited by law for a boy or girl, as the case may be, under eighteen years of age.

But a certificate with the word limited written, printed or stamped diagonally across its face may be furnished by the school physician or other person indicated in the above sentence, and accepted by the superintendent of schools in issuing a "limited" age and schooling certificate provided in section 7766-3, General Code, showing that the child is physically fit to be employed in some particular occupation not prohibited by law for a boy or girl as the case may be of the child's age which the child contemplates entering even if the child's complete physical ability to en-

gage in any occupation as required in the preceding sentence cannot be vouched for.

SECTION 7766-2. When an age and schooling certificate, returned according to section 7766-1, General Code, is reissued, the pledge of the new employer and certificate from the school physician or other person in his stead shall be secured and filed.

SECTION 7766-3. The age and schooling certificate provided in sections 7766, 7766-4, 7766-8 and 7766-9, General Code, shall be issued only with the word "limited" printed or stamped diagonally across its face if the certificate of the physician provided in section 7766-1 or 7766-2, General Code, is a limited certificate and in that case the particular employment to which it is limited shall be stated in the certificate, and the certificate cannot serve as the legal age and schooling certificate for employment in another occupation.

SECTION 7766-4. An age and schooling certificate may be issued, subject to the applicable provisions of sections 7766, 7766-1, 7766-2 and 7766-3, General Code, for a child over fourteen years of age who has been determined in the manner provided by law to be incapable of profiting substantially by further instruction. Such certificate shall be conspicuously marked "non-standard" and the issuing authority may attach to the certificate such stipulations as he deems necessary for the good of the child of the community. No child under fourteen years of age, so determined to be incapable of profiting substantially by further instruction shall be employed more than four hours in any one day. A child so determined in the manner provided by law to be incapable of profiting substantially by further instruction for whom no age and schooling certificate has been issued and is outstanding shall be furnished a card or other evidence of such determination.

SECTION 7766-5. A record giving all the facts contained in every age and schooling certificate issued shall be kept on file in the office issuing the same; and also a record of the names and addresses of the children to whom certificates have been refused, together with the names of the schools and grades which such children should attend and the reasons for the refusals; and also a record of all certificates returned or no longer used; as provided in sections 7766-1 or 7766-9, General Code, with the reasons therefor, and the subsequent assignment of the child to a school, if any; and also a record of the conditions on which any certificates were issued, and there shall be kept on file also the pledge given in connection therewith, and also a record of the special facts connected with the issuing of non-standard or limited certificates. The superintendent of public instruction shall have the power to prescribe methods of filing of all such facts, records, and papers, for the purpose of effective reference. The above named record is nevertheless not required in the cases of certifi-

cates denied to those determined immediately at the time of inquiry to be of insufficient age.

No age and schooling certificate shall be valid for employment in any other school district than that in which it is issued, unless it is counter-signed by the certificate-issuing authority of the district in which the child is employed, which issuing authority shall give its counter-signature upon presentation of such certificate.

SECTION 7766-7. Whenever the school record of a child as specified in section 7766-1, General Code, is required for the purpose of determining his eligibility to an age and schooling certificate, such record shall be furnished by the superintendent, principal, teacher or other official in charge of the public, private or parochial school attended by the child within two days after a request for the same is made by the parent, guardian or custodian of the child.

SECTION 7766-8. Whenever an age and schooling certificate is applied for by a child over sixteen years of age who is unable to satisfactorily pass a test for the completion of the work of the seventh grade and who is not so below the normal in mental development that he can not with further schooling and due industry pass such a test, an age and schooling certificate with the words "non-standard" printed or stamped across its face may be issued by the superintendent of schools to such child upon proof acceptable to such superintendent of schools of the following facts and upon agreement to the respective conditions made in writing by the child and by the parents, guardian or custodian in charge of such child.

(A) Facts to be proved:

That the child is addicted to no habit which is likely to detract from his reliability or effectiveness as a worker, or proper use of his earnings or leisure, or the probability of his faithfully carrying out the conditions to which he agrees as specified in (B) below, and in addition any one of the following groups of facts —

(1) That the child has been a resident of the school district for the last two or more years, has diligently attended upon instruction at school for the last two years or more, and is able to read, write and perform the fundamental operations of arithmetic. These abilities shall be judged by the superintendent of schools.

(2) That the child having been a resident of the school district less than two years, diligently attended upon instruction in school in the district or districts in which the child was a resident next preceding his residence in the present district for the last school year preceding his removal to the present district, and has diligently attended upon instruction in the schools of the present school district for the period that he has been a resident thereof.

(3) That the child has removed to the present school district since the beginning of the last annual school session, and that instruction adapted to his needs is not provided in the regular day schools in the school district.

(4) That the child is not sufficiently familiar with the English language to be properly instructed in the fulltime day schools of the district.

(5) That conditions are such that the child must provide for his own support or that the child is needed for the support or care of a parent or parents or for the support or care of brothers or sisters for whom the parents are unable to provide and that the child is desirous of working for the support and care of himself or of such parents or siblings and that such child cannot render such needed support or care by a reasonable effort outside of school hours. But no age and schooling certificate shall be granted to a child upon proof of the facts in the preceding sentence without written consent given to the superintendent of schools by the judge of the juvenile court and by the board of state charities.

(B) Conditions to be agreed to:

(1) In case the certificate is granted under facts (1), (2), (3) or (5) above, that until reaching the age of eighteen years the child will diligently attend in addition to part-time classes, such evening classes as will add to his education for literacy, citizenship or vocational preparation which may be made available to him in the school district and which he may be directed to attend by the superintendent of schools, or in case no such classes are available, that he will pursue such reading and study and report monthly thereon as may be directed by the superintendent of schools.

(2) In case the certificate is granted under fact (4) above, that until the age of twenty-one years or until the person is eighteen years of age and has learned to read, write and speak the English language, the said person will attend in addition to part-time classes, such evening classes as will assist the person to learn the American language or advance in Americanization which may be made available to him in the school district and which he may be directed to attend by the superintendent of schools. Such conditional age and school certificate shall be printed on green paper. If a conditional age and schooling certificate is at the same time a limited certificate, the word "limited" shall be written or stamped diagonally across the face and the provisions of section 7766-3, General Code, shall apply except as to the color of the certificate.

SECTION 7766-9. A part-time and vacation age and schooling certificate which shall permit him to be employed in occupations mentioned in section 12993 of the General Code and not absolutely forbidden to him by said section or by any other law whenever the school to which the holder is assigned is not in session, or, where cooperative part-time classes

approved by the state department of education have been established, on the alternate days, weeks, or periods, on which his division is assigned to such part-time employment, may be issued to a child above fourteen years of age under all of the conditions other than age and education which apply to a regular age and schooling certificate and such additional conditions as the superintendent of schools may deem necessary.

Such part-time and vacation certificates shall be printed on light brown paper and the form thereof and directions for recording the facts thereon may be prescribed by the superintendent of public instruction. They shall be filed and returned by employers under the same conditions and penalties as apply to regular age and schooling certificates.

The provisions of section 7766-3 of the General Code shall apply to certificates granted under this section.

SECTION 7766-10. When any officer charged with the enforcement of child labor laws discovers any child who in his judgment is under fourteen years of age employed by a person not his parent or guardian, the officer may cause such child to discontinue employment until satisfactory proof of lawful age is furnished. Any child over fourteen years of age employed during hours when the public school to which he is assigned is not in session in occupations not mentioned in section 12993 of the General Code, may upon application receive from the certificate issuing authority of the school district in which he lives a part time and vacation certificate under the conditions provided by law for such certificates.

SECTION 7766-11. The superintendent or other issuing authority may revoke any age and schooling certificate on account of non-compliance with stipulations, physical condition of the child, or other sufficient cause.

The superintendent or other issuing authority of the district in which the child is employed may revoke the age and schooling certificate of such child for failure to attend part-time schools or classes as required by sections 7762-5 and 7767 of the General Code.

SECTION 7767. Every child who has been granted an age and schooling certificate excepting such children who have been determined in the manner provided by law to be incapable of profiting substantially by further instruction, shall, until the age at which such certificate is no longer required by law, attend a part-time school or class for the number of hours not over eight per week that such school or class is in session, provided the board of education of the school district in which the child resides or is employed has made such school or class available. Such attendance shall be for the full term such school or class is in session, and shall begin with the first week of the school term or within one week after issuance of the age and schooling certificate. This section shall not apply to children who are employed on vacation and part-time certificates

only. But the superintendent of schools may excuse a child from such attendance for one of the reasons provided in section 7762-5, General Code. A part-time school or class shall be defined as one which shall offer to those minors who have entered industry, instruction supplemental to their daily occupations or which will increase their civic and vocational intelligence or both and which are taught between the hours of seven o'clock in the morning and six o'clock in the afternoon of any day except a legal holiday, Saturday or Sunday, or between the hours of seven o'clock in the morning and twelve o'clock noon of Saturday.

SECTION 7767-1. Attendance at a part-time school or class provided by an employer, or by a partnership, corporation or individual, or by a private or parochial school, or by a college, or by a philanthropic or similar agency shall serve in lieu of attendance at a part-time school or class provided by a board of education in case the given school or class is conducted for substantially a term and hours equivalent to those of the part-time schools or classes provided by the local board of education, and in case, further, the school or class is approved by the superintendent of public instruction. When such school or class is conducted within or in connection with the establishment in which the child is working the obligation of attendance at part-time school or class indicated in section 7767, General Code, shall apply to the children holding age and schooling certificates who are employed in the given establishment regardless of the accessibility of public part-time schools or classes.

SECTION 7767-2. The superintendent of schools shall be the judge of the availability or accessibility of a school or class in applying section 7762-5, 7766-8, 7767 or 7767-1, General Code.

SECTION 7770. The attendance officer and assistants shall be vested with police powers and the authority to serve warrants, and shall have authority to enter workshops, factories, stores, and all other places where children are employed and do whatever may be necessary in the way of investigation or otherwise to enforce the laws relating to compulsory education and the employment of minors. The attendance officer or assistant may also take into custody any youth of compulsory school age not legally employed on an age and schooling certificate who is not attending school and shall conduct such youth to the school he has been attending or should rightfully attend.

SECTION 7770-1. Any person above eighteen years of age who believes that he is likely to be supposed to be under eighteen years of age by an employer or person engaged in the enforcement of the laws relating to compulsory education and the employment of minors may apply to the superintendent of schools for an overage certificate which shall be issued to him if he is proved to be above eighteen years of age in the manner required for the proof of age to secure an age and schooling certificate.

When a person holding an age and schooling certificate reaches the age of eighteen such age and schooling certificate shall be released to him by his employer and shall have the effect of an overage certificate. Such overage certificate or released age and schooling certificate shall be conclusive evidence for an employer that the given employee has reached the age certified to therein, and the provisions of section 6245-2, General Code, shall not apply to the employer in respect to such person while engaged in an employment legal for a person of the given sex and of the age certified to therein.

SECTION 7771. The attendance officer shall institute proceedings against any officer, parent, guardian, person, partnership or corporation violating any provision of the laws relating to compulsory education and the employment of minors, and otherwise discharge the duties described herein, and perform such other service as the superintendent of schools or board of education of the district by which he is employed may deem necessary to preserve the morals and secure the good conduct of school children, and to enforce the provisions of the above mentioned laws.

He shall be furnished with copies of the enumeration in each school district in which he serves and of the lists of pupils enrolled in the schools and shall report to the superintendent discrepancies between these lists and the enumeration.

The attendance officer and assistants shall co-operate with the industrial commission of Ohio in enforcing the conditions and requirements of the laws of Ohio relating to the employment of minors. The attendance officer shall furnish upon request such data as he and his assistants have collected in their reports of children from six to eighteen years of age and also concerning employers to the industrial commission of Ohio and upon request to the superintendent of public instruction. He must keep a record of his transactions for the inspection and information of the superintendent of schools and the board of education; and shall make reports to the superintendent of schools as often as required by him. The superintendent of public instruction shall have power to prescribe forms for the use of attendance officers in the performance of their duties. The blank forms and record books or indexes shall be furnished to the attendance officer by the boards of education by which they are employed.

LAW RELATING TO THE EMPLOYMENT OF FEMALES IN WORKSHOPS, ETC.

As Found in the General Code of Ohio

SECTION 1008. Every person, partnership or corporation employing females in any factory, workshop, business office, telephone or telegraph office, restaurant, bakery, millinery or dressmaking establishment, mercantile or other establishments shall provide a suitable seat for the use of each female so employed and shall permit the use of such seats when such female employes are not necessarily engaged in the active duties for which they are employed and when the use thereof will not actually and necessarily interfere with the proper discharge of duties of such employes, such seat to be constructed, where practicable, with an automatic back support and so adjusted as to be a fixture but not obstruct employes in the performance of duty, and shall further provide a suitable lunch room, separate and apart from the work room, and in establishments where lunch rooms are provided, female employes shall be entitled to no less than thirty minutes for meal time, provided, that in any establishment aforesaid in which it is found impracticable to provide a suitable lunch room, as aforesaid, female employes shall be entitled to not less than one hour for meal time during which hour they shall be permitted to leave the establishment.

Females over eighteen years of age shall not be employed or permitted or suffered to work in or in connection with any factory, workshop, telephone or telegraph office, millinery or dressmaking establishment, restaurant or in the distributing or transmission of messages, or in or on any interurban or street railway car, or as ticket seller or elevator operators or in any mercantile establishment located in any city, more than nine hours in any one day, except Saturday, when the hours of labor in mercantile establishments may be ten hours, or more than six days, or more than fifty hours in any one week, but meal time shall not be included as a part of the work hours of the week or day, provided, however, that no restriction as to hours of labor shall apply to canneries or establishments engaged in preparing for use perishable goods, during the season they are engaged in canning their products.

SECTION 1008-1. The employment of females in the following occupations or capacities is hereby prohibited, to-wit: as crossing watchman, section hand, express driver, moulder, bell hop, taxi-driver, jitney driver, gas or electric meter reader, ticket seller except between the hours of six o'clock a. m. and ten o'clock p. m., as workers in blast furnaces, smelters, miners, quarries except in the offices thereof, shoe shining parlors, bowling alleys, pool rooms, bar rooms and saloons or public drink-

ing places which cater to male customers exclusively and in which substitutes for intoxicating liquors are sold or advertised for sale, in delivery service on wagons or automobiles, in operating freight or baggage elevators, in baggage handling, freight handling and trucking of any kind, or in employments requiring frequent or repeated lifting of weights over twenty-five pounds.

Any violation of the provisions of this section shall be punished as provided in section 1011 of the General Code.

SECTION 1009. **[Inside Water-Closets and Dressing Rooms.]** The owner or person having charge of the building wherein any female is employed shall provide in each establishment on the same floor or the floor immediately above or immediately below the floor where such employe works, suitable and separate toilet and dressing rooms and water-closets, properly ventilated, for the exclusive use of such employes. Such toilet and dressing rooms and water-closets shall be situated together, with one water-closet for every twenty-five females or less, and where there are more than twenty-five females employed, additional water-closets shall be provided in the same ratio, no toilet or dressing room or water-closet shall be placed in the basement or cellar unless females are actually and regularly employed therein, and unless such basement or cellar is properly ventilated.

SECTION 1010. **[Outside Water Closets.]** In cities, towns and villages not provided with water works and sewerage, closets in the same ratio as above mentioned in section 1009 shall be placed on the outside of such building, at a distance not to exceed fifty and not less than twenty feet from such building, with suitable and separate toilet and dressing rooms in such building, or such building may be provided with a dry closet system at the same ratio provided in section 1009, all closets to be supplied with disinfectants and kept in good sanitary condition at all times.

SECTION 1011. **[Penalty.]** Any person, partnership or corporation or agent thereof, who shall violate any of the provisions of this act, shall upon conviction be fined not less than twenty-five dollars, nor more than two hundred dollars. It shall be the duty of the chief inspector of workshops and factories to see that the provisions of this act are enforced, and in all prosecutions brought by or under the direction of the chief inspector for the violation of this act, the complainant shall not be held to give security for costs or adjudged to pay any costs, but in all cases where the accused is acquitted, the costs shall be paid out of the county treasury of the county in which proceedings have been brought; any justice of the peace, police judge or mayor of any city or village shall have the same jurisdiction provided in sections 13423, 13432, 13433, 13434, 13435, 13436, 13437, 13438 and 13439 of the General Code in all cases of prosecution for the violation of any of the provisions of this act.

INDEX

Compulsory Educational Laws

Age and schooling certificates:	Section
Full time employment.....	7765, 7765-1, 12976, 13000
Sub-normal mentality	7766-4, 7766-8
Graduates under 16 years of age.....	7764-3
Limited certificates	7766-3
Vacation and part time certificates.....	7766-9, 12999
Exceptions:	
1. Agriculture and domestic.....	7765
2. Irregular employment	7765-2
Failure to produce certificates.....	12978
Failure to issue certificates.....	12979
Issuing officer	7766, 7766-5
Burden of proof of over age.....	7770-1
Distribution of fines.....	13007
Employers agreement with minors.....	12991
Forbidden occupations... 12972, 12993, 13001, 13002, 13003, 13005, 13007-3-4-5-6	12990
Guarantee to secure employment for minors.....	12996, 12998
Hours of labor.....	12981
Jurisdiction in child labor cases.....	7766-5, 12998
Labor notices and list of minors employed.....	12976, 12977, 12979, 13007-9-10-11-12-13
Penalties	12968
Theatrical employment	12969
Exception	

Female Labor Laws

Forbidden occupations.....	1008-1, 13007-3-4-5-6
Hours of labor.....	1008, 1008-1, 12996
Penalty	1011
Sanitation	1009, 1010
Seats, lunch rooms, etc.....	1008

Lithomount
Pamphlet
Binders
Gaylord Bros. Inc.
Makers
Syracuse, N. Y.
Pat. Jan. 21, 1908

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HD 7835 Ohio. Laws, statutes,		
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1925	... Child and female	
labor, compulsory		
educational laws ...		
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CHILD AND FEMALE LABOR

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